

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICATION NO. : 10/618,288 Confirmation No.: 7868
FIRST NAMED INVENTOR: Thomas E. Barta
FILED : April 25, 2003
ART UNIT : 1624
EXAMINER : Emily B. Bernhardt
DOCKET NO. : 00988/1/US (PC27378)
CUSTOMER NO. : 28880

*Fee applied
only*

Mail Stop Amendment
Commissioner for Patents
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REPLY UNDER 37 C.F.R. § 1.111

Dear Sir:

This paper is responsive to a non-final Office Action mailed March 14, 2005 ("Office Action") and is being mailed or transmitted before the 3-month deadline for reply of June 14, 2005. Applicants believe no fee is required. If a fee is required, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to deposit account number 23-0455.

Remarks start on page 2

10/618,288

- 2 -

00988/1/US (PC27378)

REMARKS

Claims 1 to 374 are pending in the application.

Restriction Requirement

In the Office Action, restriction under 35 U.S.C. § 121 to one of the alleged inventions of Groups I to XI is required. Applicants hereby elect the invention of Group I, claims 1, 2, 8, 10, 11, 19-22, 24, 26, 41, 43-87, 89-94, and 374, drawn to compounds, compositions wherein Y is N, classified in class 544, subclasses such as 238, 360, and 364; class 414 subclasses such as 252.02, 253.01, and 254.02 and many other subclasses as determined by the exact nature of the substituent thereon. As further requested, Applicants hereby elect subgroup B, wherein A¹ and A², together with the carbon atom to which they are each bonded, form a heterocyclic ring, and elect the single species of Group I, subgroup B, which is the compound of formula (76-11) in claim 76.

In view of the above remarks, Applicants request consideration of the elected invention of claims 1, 2, 8, 10, 11, 19-22, 24, 26, 41, 43-87, 89-94, and 374.

Respectfully submitted,

Date: May 4, 2005

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